

THE HONORABLE ROBERT S. LASNIK

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

[PROPOSED] ORDER GRANTING MOTION
TO CONSOLIDATE CASES AND APPOINT
INTERIM CLASS COUNSEL
(No. 09-cv-00045 RAJ) Page - 1

LAW OFFICES OF
KELLER ROHRBACK L.L.P.
1201 THIRD AVENUE, SUITE 3200
SEATTLE, WASHINGTON 98101-3052
TELEPHONE: (206) 623-1900
FACSIMILE: (206) 623-3384

1 Plaintiffs BRUCE KEITHLY, DONOVAN LEE, EDITH ANNA CRAMER, and
 2 MATTHEW BEBBINGTON's Motion to Consolidate Cases and Appoint Interim Class Counsel
 3 came before the Court, seeking (a) to transfer *Bebbington v. Intelius, Inc. et al.*, C10-500RAJ to
 4 the Honorable Chief Judge Robert S. Lasnik, and to consolidate it with *Keithly, et al. v. Intelius,*
 5 *Inc., et al.*, C09-1485RSL, and (b) appoint Cohen Milstein and Keller Rohrback as interim class
 6 counsel. The Court having considered the matter, determines that Plaintiffs have shown good
 7 cause for the Consolidation of the Cases herein and the Appointment of Interim Class Counsel.
 8 Accordingly,

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 10 IT IS HEREBY ORDERED that Plaintiffs' Motion to Consolidate Cases and
 11 Appoint Interim Class Counsel is GRANTED.

12 1. *Bebbington v. Intelius, Inc. et al.*, C10-500RAJ is hereby transferred to the
 13 Honorable Chief Judge Robert S. Lasnik and is consolidated with *Keithly, et al. v. Intelius, Inc.*
 14 *et al.*, C09-1485RSL.

15 2. Mathew Bebbington, Bruce Keithly, Donovan Lee and Edith Anna Cramer are
 16 appointed Interim Lead Plaintiffs.

17 3. Cohen Milstein and Keller Rohrback are appointed as Interim Co-Lead Counsel
 18 for the following purposes:

19 (1) To coordinate all proceedings, including preparing, structuring, and
 20 presenting pretrial and other management-related orders to the Court;
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 22 (2) To act as spokesperson at all Court hearings and conferences;
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 24 (3) To determine the position of Plaintiffs on all matters arising during these
 25 pretrial proceedings (after such consultation with other Plaintiffs' counsel
 as they deem appropriate) and present such position orally and/or in
 writing to the Court and all opposing parties;
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 (4) To coordinate, and conduct discovery on behalf of Plaintiffs;

- 1 (5) To consult with and employ experts, as necessary;
- 2 (6) To delegate work responsibilities and monitor the activities of all
- 3 Plaintiffs' counsel to assure that schedules are met and unnecessary
- 4 expenditures of time and expense are avoided;
- 5 (7) To create any necessary committees and appoint committee chairs and
- 6 otherwise delegate responsibilities for specific tasks in a manner to assure
- 7 that the pretrial preparation for the various Plaintiffs is conducted
- 8 effectively, efficiently, and economically;
- 9 (8) To encourage full cooperation and efficiency among all Plaintiffs'
- 10 counsel;
- 11 (9) To coordinate and communicate with defendants' counsel with respect to
- 12 matters addressed in this paragraph; and
- 13 (10) To evaluate and respond to any settlement proposal from Defendant.
- 14 (11) coordinating activities to avoid duplication and inefficiency in the filing,
- 15 serving, and/or implementation of pleadings, other court papers, discovery
- 16 papers, and discovery practice, and, generally, in the litigation; and
- 17 (12) performing such other duties that may be incidental to proper coordination
- 18 of Interim Lead Plaintiffs pretrial activities or authorized by further order
- 19 of the Court.

20 4. The caption of these consolidated actions shall be *In re Intelius Litigation*, and the

21 files of the consolidated actions shall be maintained in one file under Master File No. 09-CV-

22 1485RSL. Any other actions now pending or later filed in this district which arise out of or are

23 related to the same facts as alleged in the above-identified cases shall, until further order of this

24 Court, be consolidated for all purposes pursuant to Fed. R. Civ. P. 42(a) into the Consolidated

25 Action, if and when they are brought to the Court's attention.

26 5. To the extent any other plaintiffs' counsel are designated by Interim Co-Lead

Counsel to assist with the prosecution of this action, all such plaintiffs counsel shall keep

1 contemporaneous time and expense records, in the form requested by Interim Co-Lead Counsel,
2 and shall provide such records on a monthly basis to the Interim Co-Lead Counsel, or as
3 otherwise requested by Interim Co-Lead Counsel.

4 It is so ordered.
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6 DATED this _____ day of _____, 2010.
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9 ROBERT S. LASNIK
United States District Judge
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